MR. GREEN UNDER FIRE

Commissioner Fitz John Porter's Assault on the Comptroller.

AN INSTRUCTIVE RETROSPECT

Who Voted to Swell the City Debt by Millions?

General Fitz John Porter, Commissioner of Public Works, has addressed the following spicy letter to Comptroller Green. It contains an instructive review of the official life of the latter and a caustic criticism upon his reflections on the recent management of the Department of Public Works :-

upon his reflections on the recent management of the Department of Public Works:—

DEPARTMENT OF PUBLIC WORKS,

CITT HAIL, NEW YORK, Novrembe, 1875.]

Hoff, Andrew H. Green, Comptroller of the City of New York:—

Six—On the 2d of September you addressed a letter to His Honor the Mayor, reflecting upon his supposed inattention to what you were pleased to term the wasteful expenditure of the public moneys through this Department. The Mayor forwarded the letter to me—an unnecessary attention on his part, as you do not detain an expectant public—but, disregarding the restraints of official courtesy, promptly give your official correspondence to the preess. To your letter I replied September 20, and sought to answer your allegations, because, holding an office of dignity and power, you are by some people supposed to be, what I purpose to show you are not—a person whose statements are entitled to respect. My correspondence with you and about you has thus far been conducted with patience and courtesy. I sincerely regret that the tone of your letter and the inaccuracy of your statements, compel me now to plainer language than I should in another case have chosen. With your characteristic arrogant and disrespectful language in your communication to the Mayor, our common superior officer, I have here nothing to say but you mistake the judgment of reflecting men if, by intemperate language and unfounded charges, you seek to make them beneve that all honesty has been lodged in you and that everybody else should be suspected. You became Computroller when bad men had recently sacked the city treasury, and you rose to official distinction by apparent contrast with them. The times have changed, and the men who now fill offices over which you assume the function of a chief detective are at least your peors in all things, and some of them are in many respects your superiors. It may be well to consider whether you can afford to arraign me or them, unless your proof is as well in hand, or as attainable, as is to ther proof in whic

well in hand, or as attainable, as is other proof in which your personal interests are not small.

With these remarks, which are of no special concern to the public, perhaps, I come to the text of your late letter to the Mayor. As a contribution to literature that portion of your letter which seems to be intended that portion of your letter which seems to be intended for a history of the parks is interesting, and some of it may be veracious. If, however, you consider that to be an equivalent for the portion of the sum of \$7,500, paid by you to yourself out of the public purse. In 1868, for engaging to write a proper history of the parks, taxpayers may doubt your estimate of its value, though it is all they have had as yet for the money. The official history of the parks from 1858 to 1872—that history which is to be found in the records of the Park Department, and with which you, as the ruling spirit, then, have a peculiar obligation to be familiar—does not sustain your statements. In my letter of the 20th September, I asserted that you were responsible for expenses of openings of streets and other lands to the amount of \$23,248,325 18, and I then gave the items as follows:—

The following are the principal street and park openings made on the application of Andrew H. Green, as Comptroller and Treasurer of the Central Park:— Seventh avenue (widening), 110th street to

432,367 00

Harlem River (winehing), 110th street to Sixth avenue (widening) 110th street to Har-lem River Circle at Fifty winth street and Eighth ave-nue \$412,812 97 Buileward, Fifty minth street to 155th street. 3,007,016-20 Plana at Fifth avenue and Fifty-ninth street. 532,530-50 street. street.... Twelfth avenue, Fifty-ninth to 153d street.... Highbridge Park.

The second of the second points of the second point expendance of the public money. Of 120 resolutions passed between April 20, 1870, and November 2, 1872, calling for \$8,559,713, there were thirty-two offered by Mr. Green, 107 passed with his vote and thirteen with-Mr. Green is alluded to as the premoter of the scheme for the parade ground at Inwood, the designer of the "Circle" and the "Plaza," Fifty-ninth street and Eighth and Fifth avenues; he is noted as voting to buy "Highbridge Park," and as being responsible "for the unnecessary and extravagant width of the Boulevards and of Sixth and Seventh and St. Nicholas ave

These, your own bantlings, you now denounce as profligate, forgetting your published pathetic appeals "for rapid improvements," and for outlets even into Westchester county. So long as you remained the supreme power in the Park Board and were the dispenser of the patronsge and funds of the department, all went well, and "public improvements" were urged forward. Now you no longer control the works or dispense that patronage and it emits you to insist that the works must be stopped.

well, and "public improvements" were urged forward. Now you no longer control the works or disponse that patronage and it suits you to insist that the works must be stopped.

As before remarked, you have referred to Thomas C. Fields as a "cunning and corrupt representative and efficient aid of the Ring." You had every opportunity to know him well. Yet I find by the Journal of the Park Commission this record:—
"For six of the sixteen years you were together in the service of the parks, each gave his vote in favor of the other for the position to which he was elected, Treasurer or Secretary. It was on motion of Mr. Field that your salary as Treasurer of the Park was increased in June, 1865, from \$1,500 to \$12,000 per annum, and that (by an arrangement which has since been stigmatized as "salary grabbing"), the increase was made to date back to January 1 of that year. You seem to have favored the back pay system then and prior, in 1809, though only for the benefit of your own pocket. The records further show that in July, 1805, Mr. Fields secured to you the payment of \$7,500 extra compensation in part for compiling the, as yet, masen "Hastory of the Parks." The same day and on Mr. Fields' motion, leave of absence was given you for ninety days to visit Kuropa. When you returned, and on metion of Mr. Fields again, you were paid by the copartment \$1,600 for the expenses of the trip, though you raw your salary for the whole time of your absence. It was by Mr. Fields motion, and by your own you fail that the city paid the cost of lobbying at Aibany and of your expenses there, and also that the house on Great Hill was fitted up at the expense of \$13,000 as a residence for you. It appears that whenever an increase of salary was to be voted, Fields offered the resolutions granting out leave of absence to go abrond with no diminution of pay, &c., &c., &c. These were friendly arisery—as between you and this "conning and corrupt representative and efficient aid of the Ring."

DEFARTAREMENT OF YOUNGER.

You refer to the waste

ers, in each case, forwarded to you. I may add that, with exceptions inseparable from the employment of large numbers of men, the inspectors have proved thomselves competent to discharge their duties. Your own life demonstrates the fact that men often assume that they possess shilly to conduct other business than that for which they were trained. A public officer may be misled by confidence reposed in the source of recommendation, as you have occasion to know in your own department. You convey a faise inspression when you assert that a blind man was appointed by me to be an inspector. I have the evidence of the engineers of the bureau in which the man referred to was employed that he is not blind, and I am assured that, although on the occasion of his first visit to your office he was suffering from a temporary injury in one eye, and was accompanied by his son to identify him for payment, on the second visit that defect did not exist. The piece of work—an underground drain—which he supervised has been dinished, and by competent engineers has been declared to be not excelled in quality.

The testimony that will most interest our taxpayors, as to the economical conduct of the affairs of this department, will be found in the comparative coat of equal work under my care and that hereisfore conducted under the care of others. I may under the circumstances, properly anticipate my official annual report, and say now that the saving to the city will be over thirty-three per cent for work of equal quantity and quality. You can scarcely claim credit for this. I am well aware of the danger of prosecuting public work by days' wages, and I am aware that evils may and do occur under the system. But I find that the system was begun and that it was advocated by you, and that you for a long time justified it and condemned the contract system.

[Here follows a quotation from Mr. Green, strongly indorsing the days' work system for city work, especially in laying of Croton water pipes.]

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As to the appointments, it has been the misfortune of our governments—federal, State and municipal—to have appointments largely influenced by political considerations. Even the Civil Service law of the federal government does not seem to have lived an active life. The Park Department that been no exception in this matter of political influences in making appointments to office. In 1860 the Park Department expended \$500,127 64 on the Boulevard improvement for days' labor; and in the first that the content of th

enjoying the hospitalities of the city authorines; another says that he is shooting "canvas backs" with John Kelly in the marshes of Long Island, while still another puts him in training for a New Jersey fox hunt. President Lewis, of the Board of Aldermen, is acting Mayor, and was yesterday recognized as the Mayor by the Board of Aldermen. An Alderman inclined to joke on grave subjects suggested that Mr. Wickbam has acted upon the advice of the Herald, and taken a trip to Europe.

BOARD OF ALDERMEN.

COMMISSIONER PORTER AND THE WORKING-MEN-NO ADVANCE TO BE MADE IN WAGES. In the absence of the President Alderman Shandley was called to the chair yesterday in the Board of Aldermen. Among the petitions presented was one signed by fifty property owners on Forty-second street, consenting to the running of a line of stages on the street, to connect the Grand Central depot with the Elevated Railroad. It was referred to the Committee on Streets. A petition from the Bricklayers' Association, representing 5,000 mechanics, was read and referred to the

appropriate committee.

A communication was received from the Police Com missioners, recommending that authority be given them to fill in the sunken meadows on the southeast side of Randall's Island with fresh ashes, to be covered over with pure soil. It is claimed that the land thus reclaimed to the city will be worth \$1,006,000, and such proposed improve-ment will enable the Street Cleaning Department to find a receptacle for the surplus ashes that may be gathered during the winter. Accompanying the communication was a certificate from-Commissioner Blunt, of the Board of Pilot Commissioners, stating that the

proposed work would not interrupt navigation. Alderman McCarthy asked that it be laid over, that the people of the Twenty-third Assembly district, are interested, may have something to say. He, th fore, moved that it be referred to the Committee Roads.

fore, moved that it be referred to the Committee on Boads.

Commissioner Porter, in response to the resolution of the Board asking heads of departments if they intended to obey the order of the Board increasing the pay of laborers to \$2 per day, sent a long communication, in which he declines to comply, for the reasons that on the 9th of June, after an interview with a commistee of the Board of Aldermen, he addressed a letter to the committee, stating the reasons why the present rate of wages had been adopted. The reasons stated in that communication why the rate should not be increased still exist, he said; and, indeed, there are now stronger reasons because the market rates of labor are even lower than they were then, and considerably lower than the figures by this department allowed. The Dommissionor's note concludes as follows:

Yen are aware that the law makes it incumbent not upon the Common Council, but upon each of the several executive departments of the city government to fix for itself that rates of wages by it paid. That function has been exercised by me, as Commissioner of Public Works, with a prefound sense of the chilystoner which is upon me so to administer my trust as to full in y day to the whole community and to all chases.

It is not likely that any Individual member of the Board

all classes.
It is not likely that any individual member of the Board
bits ally pays to such laborers or workmen as may be em-

wise than in payment, at a reasonable approximation to the market rates, for services performed or material furnished to the city. In that manner I must continue to perform my functions as the head of this department.

The communication was placed on file.

The general order empowering the Commissioner of Public Works to lay water plues, mains, &c., to enlarge the distribution of the Croton water in the city, and especially in the two new wards, and to supply the islands in the East River, was lost by a vote of 4 to 6.

The Board adjourned at four P. M., and will meet again on Thursday.

THE CONVICTED MURDERERS.

APPLICATION FOR WHITS OF ERROR AND BE VIEW OF THE CASE OF THE THREE CON-DEMNED NEGROES DENIED-A FINAL AND UNSUCCESSFUL EFFORT ON BEHALF OF DOLAN.

At the sitting of the Supreme Court, General Term esterday, before Chief Justice Davis, Judges Brady and Daniels, application was made for a review of and a reversal of judgment in the cases of William Ellis, William Thompson and Charles Weston, the negroes now under sentence of death for the murder of the Jow pedler, in Lydig's woods, near West Farms, in September last. Messra Kintzing and Mott, coun sel for the condemned, obtained a writ of error and, as Judge Davis made it returnable forthwith, the argument was immediately proceeded with, District Attorney Phelps and Mr. Rollins appearing for the prose,

It was argued by counsel that the Court of Oyer and Terminer acquired no jurisdiction to try the indictment. The indictment was found and filed in the Court of General Sessions, and, in opposition to the wishes of the prisoners, was transferred to the Court of Oyer and Terminer, after issues joined. The act authorizes the transfer of an indictment for trial only, saying nothing about the transfer after issue joined. The District Attorney selected the Court of General Sessions as the tribunal in which to indict, he arraigned the prisoners, and upon this arraignment issue was joined. In the case of a conviction in the Court of General Sessions, an appellate court has and it is its duty to review the whole case de novo, and do subtantial justice; it has the power to reverse the judgment in case of an erroneous ruling, without any exception taken at the trial, while the Court has no power in case of conviction in the Court of Oyer and Terminer to reverse a conviction upon the facts, no matter how unjust the verdict, without an exception. The prisoner had a vested right to be tried in the Court of General Sessions, issue having been joined upon the indictment; the Court had no right to transfer the indictment, in which transferring the prisoners were deprived of certain privileges conferred by the act of 1855. It was further contended that the prisoners interposed a challenge to the array of petit jurors on the ground that the panel was improperly drawn, having been drawn by Thomas Dunlap instead of Douglas Taylor. The District Attorney demurred to the plea, defendants joined in the demurrer and the Court gave judgment for the people upon this demurrer. The District Attorney, by the nurrer, admitted all the facts alleged in the plea-The Revised Statutes provide the mode and manner of drawing petit jurors for the Oyer and Terminer, and that is by the County Clerk, Sheriff and Judga. So far as this question is concerned it is no matter whether Dunlap or Taylor was Commissioner of Jurors; neither had any right to summon the jury; having no lawful right or authority to draw the jury it follows that the persons so drawn were not a lawful jury. Again the Mayor had no authority to remove Douglas Taylor from the office of Commissioner of Jurors and appoint Thomas Dunlap to that office. The act under which that power is claimed related to the city of New York, and not to the county. The office of Commissioner of Jurors is a county office. The Mayor's power can only extend to the appointing of officers strictly limited in their nature to the city. Certainly the Court erred in refusing to appoint trers at request of prisoner's counsel upon the challenge to favor. The Legislature passed an act authorizing the court to act as trier for lavor. It was further claimed that the act was unconstitutional. It is in derogation of the common law right of trial by jury as prescribed at common law. The Court of Appeals have neld that the act of 1872, chapter 475, empowering the Court to act as trier upon challenge for cause is constitutional, but leave it an open question as to the power of the Legislature to commit to a judge the power to act as trier for favor.

Judge Grover, in the case of Stokes, clearly intimated drawing petit jurors for the Oyer and Terminer, and

the Court, setting forth that there was no error com-mitted by Judge Barrett upon the trial, and refused the writ of error and stay of execution. Whatever errors, if any, were committed, were not prejudicial to

THE EXECUTIONS-LETTER FROM THE GOVERNOR TO SHERIFF CONNER.

During business hours yesterday Sheriff Conner reselved the following letter from Governor Tilden in relation to the execution of the septences of death to be enforced during December:-

STATE OF NEW YORK, EXECUTIVE CHAMBER, ALBANY, NOV. 27, 1875. WHILLIAM C. CONNER, Sheriff of the county of New

William C. Conner, shering of the country
York:—
Sir.—in relation to the executions to take place m
your county during the coming month the Governor
directs me to call your attention to the statute relating
to that subject, and especially to the provision of section 2, chapter 258, Laws of 1836, prescribing the persons that may be permitted to witness the executions.
He expects that the statute will not only be literally
complied with, but that its provisions will not be
evaded by the unnecessary appointment of special

evaded by the unnecessary appointment or special deputies or otherwise.

He deems this caution proper, for the reason that it has come to his knowledge that upon previous like occasions in other States and counties large numbers of perions not allowed by law to be present have been permitted to witness the dying agonics of the crim-

With respect to the details, which are left by statute our discretion, the Governor does not doubt that will take every pains to prevent the recurrence of those shocking scenes which in some instances, in other States and counties, have within the present year disgraced the administration of justice and the officers concerned. I am, respectfully, yours, CHAS, STEBBINS, Private Secretary.

MURDEROUS JOE FARRELL.

The subjoined ante-mortom statement of James Reilly, who was knocked down on the loth ult. by a paving stone thrown at him by a man named Joe Farrell, who is still at large and believed to be in Brooklyn, was taken by Coroner Kessler, at Bellevue

Hospital, yesterday :--A man named Joe Farrell strock me on the head with a paving stone, in Forty-ninth street, near where I live, on the 16th of November. The only reason I can give for his assault on me is that, about an hour before, I had ordered him out of the place where I am a porter. Before he struck me he was behaving in a disorderly manner, fighting with a boy, and, as I could not tolerate such conduct, I ordered him out of my store. He went out, but remained watching me, and when he got an opportunity threw the stone at me. I offered him no volunce or provocation at any time. Cannot say what happened immediately afterward, I do not expect to recover from my wound. I am twenty-five years old, a native of Ireland. A man named Joe Farrell struck me on the head with

A RAILROAD FREAK

A freight train coming along the Eric Raflway, near Glen Rock, on Wednesday evening, met with an accident in having one of the trucks under a box car thrown from the track, and the train ran a distance of about two miles to Hawthorne before it was stopped, and during that time the truck had run between the tracks the whole two miles on the frozen ground. No

TAMMANY HALL.

THE FORFEITURE OF ITS CHARTER—HOW THE SOCIETY CAN BE DISSOLVED-OFFNIONS OF

LEADING LAWYERS. [From the Evening Post.]

The recent publication in the Evening Post of a history of the Tammany Society has attracted much attention to the legal standing of that body, in view of its notorious departure from the objects of its incorporation. The charter, which we recently gave in full as it was granted by the Legislature in 1805, provides that the members of the Society may hold real and personal property in their corporate capacity, "for the purpose of enabling them better to carry into
effect the benevoient purpose of affording relief to the
indigent and distressed." The preamble to the act of
incorporation sets forth the object of the Society to be "the purpose of affording relief to the distressed members of the said association, their widows and or-phans, and others who may be found proper objects of their charity." No other object is named in the charter.

Application has been made to a number of leading lawyers to ascertain their opinions as to the legal grounds existing for a compulsory dissolution of the society, and the methods which can be adopted to reach this end. It has been commonly supposed among laymen that the Legislature had power to repeal or modify the charters of all private dorporations. but in this case the remedy for abuse appears to lie wholly in the courts. At least this was the opinion of the lawyers consulted who were willing to pronounce a definite judgment. It also appears that there is adequate provision of law for the dissolution of all corporations which misuse their chartered privileges, even if those are not dependent upon the will of the Legisla

Ex-Attorney General Francis C. Barlow, when ques tioned upon the subject, said that he believed there was sufficient legal cause for depriving the Tammany Society of its charter. The power to do so, however, did not rest in the Legisla-Since the decision of the famous Dartmouth College case by the Supreme Court of the United States, in 1819, it had been held that an act of incorpo States, in 1819, it had been held that an act of incorporation, unless specially limited, could not be repealed or materially altered by a State Legislature, on the ground that it was a contract within the meaning of the provision in the Constitution of the United States which forbids any State to pass a law impairing the obligations of contracts. After this decision it became the practice in this State to insert a clause in acts of incorporation making them repealable at the pleasure of the Legislature. Finally, in December, 1827, a general law was passed, as follows:—

The charter of every corporation that shall bereafter be reacted by the Legislature shall be subject to alteration, uspension and repeal in the discretion of the Legislature, General Barlow said that the charter of the Tammany Society could not come within the operation of any of these limitations, as it was granted in 1805. The case of the society would, however, come directly within the provisions of law which relate to the misuse of corporate powers and provide a remedy by judicial pro-Section 430 of the Code is as follows:—

An action may be brought by the Attorney General in the name of the people of this State on leave granted by the Supreme Court, or a Judge thereof, for the purpose of vacating the charter or annuling the existence of a corporation other than municipal, whenever such corporation shall—

Pirst—Offend against any of the provisions of the act or acts creating, altering or renewing such corporation; or,

Scoond—Violate the provisions of any law by which such corporation shall have forfeited its charter by abuse of its powers; or.

corporation shall have forfolted its charter by abuse of its powers; or, Third—Whenever it shall have forfolted its privileges or franchies by failure to exercise its powers; or, Fourth—Whenever it shall have done or omitted any activities and franchies; or, The comparison of the corporate rights, privileges and franchies; or, The conferred upon it by law.

And it shall be the duty of the Attorney General, whenever he shall have reason to believe that any of these acts or omissions can be established by proof, to apply for leave, and upon leave granted to bring the action in every case of public interest, and also in every other case in which satisfactory security shall be given to indemnify the people of this State against the costs and expenses to be incurred thereby.

ereby. The next section provides that "leave to bring the The next section provides that "leave to bring the action may be granted upon the application of the Attorney General, and the Court or Judge may, at discretion, direct notice of such application to be given to the corporation or its officers previous to granting such leave and may hear the corporation in opposition therein."

to the corporation or its officers previous to granting such leave and may hear the corporation in opposition thereby."

General Barlow said he thought it perfectly clear that the charter of the Tammany Society could be forfeited under the provisions of either the third or the fifth clause in section 430. The society had forfeited its privileges by failure to exercise its charitable powers and also by its exercise of functions which it was not incorporated to perform.

When Attorney General, he had occasion to proceed against two corporations on the latter ground. One of these was the New York Plate Glass Company, which was incorporated under the general act for manufacturing purposes, but which began the business of insuring windows against breakage. The other was the Mutual Benefit Society of the United States, which was incorporated under the general act relating to benevolent organizations, but was found to be substantially doing a life insurance business. He brought suit in the name of the people against both of these companies, and in each case obtained a decree dissolving the corporation on the ground that it was exercising powers not conferred by its charter.

The principle of law was perfectly plain that a corporation organized to do one thing could not do some

Its charter.

The principle of law was perfectly plain that a corporation organized to do one thing could not do something else entirely different. The Tammany Society was incorporated for hencolent purposes, but, neglecting these, had devoted itself entirely to the management of the property of the second of was incorporated for benevolent purposes, but, neglecting these, had devoted itself entirely to the management of local politics. It was therefore legally guilty of both non-user and misuser of its corporate powers.

General and was suggested that the members of the society might be proceeded against by the Attorney General of his own motion, under the provisions of section 432 of the Code. This provides that an action may be brought by the Attorney General in the name of the people of this State, upon his own information or upon the complaint of any private party, when any association or number of persons shall act within this State as a corporation without being duly incorporated. He thought that suit might be brought against the sachems and other members of Tammany under this enactment, saying that when they set up the charter of 1805 as a defence the reply would be that it did not in corporate them to conduct the business in which they are engaged.

1805 as a defence me to conduct the business in which they are engaged.

Another prominent lawyer, however, who wished to have his name withheld, did not think that this mode of proceeding would be successful. He said that the only proper method was a suit under the provisions of section 430, on the ground of misuser or non-user. Under the Dartmouth College decision, which had been readfirmed again and again, the Legislature had no cover in the matter. power in the matter.

Judge Enoch L. Fancher, atter examining the Tam-

Judge Enoch L. Fanoner, after examining the Tampany charter and referring to authorities, expressed the onlinen that the charter was legally forfeitable on both grounds—non-performance and misuser. He cited the following passage in Abbott's "Digest of the Law of Corporations."

orporations. 5

A non-performance of the conditions of the act of incorpotion is per sa misuser that will forfeit the grant. The
me principles of forfeiture on failure to perform conditions
hich are applicable to the case of grants to individuals are
be applied to grants of corporate power by the act of incorsection.

continuous apprecia of practical corporation.

Annexed to this statement of the law is a reference, among other cases, to the decision of the Supreme Court of this State in 1840 in the matter of the People against The Kingston and Middletown Turnpike Company, 23 Wendell, 193. The opinion of the Court in this case was rendered by Chief Jostice Neison, who declared that a non-performance of the conditions of an act of incorporation was a misuser which would forfeit the grant even at common law.

Mr. Auguin Abbott, when applied to on the subject, said that he was not sufficiently familiar with the facts of this case to give an unqualised opinion of its merits. If, however, the fact could be established that the Tammany Society, incorporated as a bonevolent organiza-

If, nowever, the fact could be essainlined that the Tammany Society, incorporated as a bonevolent organization, had entirely conset to be one, its charter could be forfeited. Neglect to exercise its powers was not forfeiture per ze. The remedy lay in the courts, through an action instituted by the Attorney General. Under the decision in the lartmouth College case a charter granted before 1827 could not be repealed by the Levislature.

Under the decision in the liartmouth College case a charter granted before 1827 could not be repealed by the Legislature.

Mr. Noison J. Waterbury, ex-Grand Sachem of the Tammany Society, declined to express an opinion as to the legal grounds for taking away the charter. When asked the question of fact, whether, throughout his connection with the order, he had ever known it to exercise the functions of a charitable society, he also declined to answer. He said that while entirely opposed to the present system of role in Tammany Hall, and believing that the General Committee should be chosen by popular vote, he saw no reason why the democratic party of this city, with a reformed erganization, should not retain the Tammany building in Fourteenth street as its headquarters. He therefore did not wish to be quoted as saying anything which might tend to a contrary result.

Mr. Wheeler H. Peckham said that he was not familiar enough with the facts to give an opinion as to the probable success of a soit to deprive Tammany Hall of its charter. The principle of law involved was very clear, however. The statutes provided that the rights and privileges of any private corporation could be foreitted upon its failure for a year to exercise its corporate powers. If it could be proved that the Tammany Society, having been incorporated soicly for benevolent purposes, had wholly neglected to carry them out for a number of years, a decree of dissolution could be obtained by proper legal proceedings in behalf of the people.

It was suggested by another lawyer that, while the It was suggested by another lawyer that, while the Legislature had no direct power in the case, it might appoint a committee of inquiry to examine the question whether good grounds existed for a forfeiture of the charter. Then, if the report was in the affirmative, a resolution might be passed laying the facts before the

Aktoney General.

As to a suggestion that it might be difficult for the prosecution to prove a negative in this case—that is, to prove that the society is not in any respect of a benevolent character—another member of the Bar said that he thought sufficient evidence could be obtained on this point by summoning the officers of the society as witnesses.

Ex-Lieutenant Governor Stewart L. Woodford, of the law firm of Arnoux, Ritch & Woodford, said that if it could be proved that the fammany Scelety has practically ceased to be a charitable society, it seemed to him that a competent court, on application duly made, would decree its dissolution for the maner or non-user of its functions. He remarked that of course he could

express no opinion as to the facts in regard to the char-itable work of the society, although he thought every-one would be surprised to learn of any charitable work done by it beyond its large contributions to the pub-fic debt and by its gifts of officeholders to the public service.

NOTEWORTHY OPINIONS OF THE PRESS ON THE

DOWNFALL OF TAMMANY. Undoubtedly it (the Tammany Society) should b abolished, like any other evil .- Lockport (N. Y.) Jour-

It is secret in its operations and its work is well

known to be public plunder. - Lockport (N. Y.) Journal It has made some large dividends on very small in vestments, and the members of the firm will, we presume, be loath to close up business and disband.—Lock-

port (N. F.) Journal (rep.)

It has been the instrument of a cabal of selfish and naprincipled democrats to win and retain power, and to actually defeat and destroy that influence of the people in shaping government which our constitution and laws guarantee to them .- Lebanon (Pa.) Courier

It enabled Tweed, Tilden and their confreres to dom nate for years in New York politics, and Tilden to-day is using it to strengthen his prospects for the Presidency. - Lebanon (Pa.) Courier (rep.)

The press is making a most vigorous war on it, demanding the repeal of its charter and its consequent destruction, and the people are becoming aroused to its evil character, and see that with it in successful operation the legitimate power of the citizen cannot be exergised,-Lebanon (Pa.) Courier (rep.)

We see evidences throughout the country of a rising antagonism to the influence that different secret societies have been exerting on political affairs for some years past. This influence has been felt in almost all sections of the country; and as it is in direct war with the spirit of a free government by the people, it cannot be tolerated and will not be tolerated, when public attention is directed to it. - Lebanon (Pa.) Courier (rep.) For three generations the democratic party of New York, and incidentally of the nation, has been subject to the arrogant and outrageous sway of Tammany Hall; and now that public opinion has defeated that power, it is urged by the New York papers, at least by the Times and the Herald, that it only remains for the people who are more immediately interested to make the over-throw of Tammany certain and conclusive, by compel-ling the Legislature to pass an act abolishing the charter of that corrupt and preposterous organization-Quincy (III.) Whio (rep.)

In a free government like ours there is no excuse for a secret political society, and such societies can only be regarded as conspiraces against the rights of all the citizens outside of them.—Lebanon (Ill.) Whig (rep.)

The feeling is, that the politics of New York have oo long been controlled by a secret society of irresponsible men, who through their secret machinations have robbed the people of their due influence in the management of public affairs.—Lebanon (IU.) Whig

The question is now seriously discussed of asking the Legislature to repeal the charter under which Tammany Hall was organized. The leading newspapers of New York regard this society as a standing menace to good and honest government, and subversive of true democratic principles.—Hudson (N. Y.) Star (ind.)

The recent election in New York clearly demonstrated

that not only had the influence of that once powerful organization (Tammany) passed away, but that the principles upon which it was founded were not in accordance with the form of government now exisiting in this country .- Washington Chronicle (rep.)

Here is a society, working entirely in secresy, and for that feature, if for no other, decidedly objection-able, composed exclusively of such members as it may choose to admit, having no delegated political authority whatsoever, and yet presuming to say to the large body of democratic voters of New York city that they must vote only for such candidates as may be selected by it.— Washington Chronicle (rep.)

By acknowledging the assumed authority of Tam-

many and yielding opedience to its mandates, the democracy have, in point of fact, for years past, been disfranchised. - Washington Chronicle (rep.)

If anything more were needed to convince the people of that city that the scathing rebuke which they have given it should long ago have been administered the speeches since made by its arrogant chief, John Kelly, would be amply sufficient. With what cool and impudent assurance he tells them that the candidates "whom he offered them" were superior to those whom they, "in their momentary passion," have elected!— Washington Ohronicle (rep.)
Whatever may have been the cause there are but few

entside of its own membership to regret its downfall. -Washington Chronicle (rep.)

If any association is needed let the proposed "Committee of Safety" be urged forward, which, it is expected, will unite the best men of the city in one grand effort to redeem its character .- Washington Chronick

ending its miserable career .- Washington Chronicis

The Tammany charter is plainly in peril of forfeiture. instead of the repeal by the Legislature of 1876 of the act of incorporation—the natural and simplest methodproceedings to dissolve the society may be begun by Attorney General Pairchild when he comes into office next month. Mr. Fairchild will have no difficulty in proving that this society, which is charitable in theory. only political in practice.—New Fork Evening Post

TAMMANY GENERAL COMMITTEE.

The Tammany Hall General Committee held its regu ar monthly meeting last evening, with Mr. Abram S. Hewitt presiding. The attendance of members was quite large. The report of the treasurer showed balance on hand of \$1,133 58. A committee of three was appointed to audit the treasurer's account and to report at the first meeting of the next General Committee. Mr. Augustus Schell, Thomas Duniap and Mr. Thomas Cooper Campbell were named by the Chair as members of such a committee.

LIBERAL REPUBLICANS.

The Liberal Republican General Committee met last night at No. 1,266 Broadway, with Mr. B. F. Manierre in the chair. Resolutions were adopted calling Assembly district meetings on Monday, December 27, to elect delegates to the General Committee and officers of the respective districts for the next year.

Mr. S. J. Glassey offered a resolution, which was unanimously adopted, indersing the appointment of a commission by Governor Tilden to propose changes in

the government of cities.

General Cochrane proposed a resolution eulogizing the late Vice President Wilson. After its unanimous adoption the committee adjourned.

A STRANGE FREAK.

Miss Sarah Ward, aged about twenty-eight years, daughter of Judge Ward, of St. Paul's avenue, Tomp-kinsville, Staten Island (donor of the land on which St. Paul's Memorial church is built), visited a New York dentist on Monday last to have some teeth extracted, and took laughing gas. She remained under the influence of the gas for a considerable time, and when she finally recovered the idea seems to have struck her that it would be a good joke to frighten her folks at home by telegraphing to the Rev. A. N. Stanley, rector of St. Paul's, that she was dead. She accordingly sent of St. Paul's, that she was dead. She accordingly sent a deepatch to the rector, who was preaching at the time in observance of St. Andrew's Day, that she had died from the effects of inhaling laughing gas. The startling announcement caused great consternation among the congregation, the young lady being well known to them all. The services were at once concluded, and word was sent to ber tather, who hastened to the dentist's place of business, where he was surprised as well as overjoyed to learn that his daughter had but a short time previously left for home in excellent health. When asked by her parents what induced her to send such a despatch she said that she did it for fun.

LONG ISLAND FISHERIES.

This has been a busy season with the Bridgehampton ishermen. During the month of November the bass fishing companies did not catch as many as in some former seasons, but some good hauls were made. Captain Charles A. Ludlow's company caught a ton in one morning, worth in New York about \$250, and a few days afterward Captain Jutten Bennett's company caught another ton at the iniet of Mecox Bay. Inside the bay, with the pounds, gill nets and fykes, probably more than a ton of flatfish are captured every night, besides many perch and bass. Harry Rose's company caught 500 bass in Hay Ground Creek, and on the same day Heary Cook caught 300 perch in Sagg Pond.

HOBOKEN'S EDUCATED PEOPLE.

The letter carriers attached to the Hoboken Post Office report their business for the month of November as follows:—Letters delivered, 20,940; postal cards delivered, 4,110; papers delivered, 6,108; letters collected, 7,774; postal cards collected, 292

CHAMBER OF COMMERCE.

QUESTIONS OF INTEREST TO THE COMMERCE OF NEW YORK-THE CUBAN DIFFICULTY-VICE PRESIDENT WILSON'S DEATH.

The Chamber of Commerce held its monthly meeting yesterday afternoon, President Samuel D. Babcock in the chair. Among those present were Mesers. William M. Vermilye, Samuel B. Ruggles, Elliot C. Cowdin, B. L. Solomon, William J. Peake, George W. Lane and

The following nominations, reported on behalf of the Executive Committee by Mr. G. W. Lane, for member-

ship, were elected:—
Francis B. Arnold, August G. Blume, Marshall T. Davidson, Lyman R. Greene, Samuel W. Johnson, Enos F. Jones, Lowell Lincoln, Jacob Lorillard, Emil Oelber-man, A. L. Bichards, John P. Townsend, Bartow W. Van Voorhis, Joseph C. Williams, Henry E. Nesmith, George B. Lunt, Charles L. Wright, James A. Van Brunt, Ferdinand A. Crocker, Charles E. Jayne, J. H. Vinchester, Franklin Woodruff, Vernon H. Brown. The Executive Committee, which was directed at the

November meeting to report a memorial in favor of the passage, for the second time, by the Legislature of the resolution passed at the last session proposing an amendment to the constitution committing the

MANAGEMENT OF THE CANALS to the sole direction of a superintendent of public works, asked, through Mr. Ruggles, leave for further time, until the regular meeting in January next, to prepare and submit such memorial. The Chamber was aware hat under its order the Executive Committee, during the last season of navigation, had taken active measures to ascertain the actual depth of water in the Erie Canal and existing obstructions to its navigation.

The report made by the engineer employed, which

was published in most of the city newspapers, had sufficiently shown these obstructions to warrant further inquiry and active measures to remedy the evil. For the purpose of more fully ascertaining the facts, Mr. Solon Humphreys, chairman of the committee, had addressed a letter of inquiry to the Anditor of the Canal Department, which had not yot been answered, but which he hoped would be fully answered before the meeting of the Legislature in January. The committee, therefore, asked leave to defer the presentment of the memorial until the regular meeting in January ask.

On the suggestion of Mr. William E. Dodge the committee were directed to ascertain from the Canal Auditor whicher the letter of inquiry had been received.

A draft of a bill to be presented to Congress for enactment was handed in by Captain Ambrose Snow, making the deposit of ballast or rubbish in the entrance to the harbor of New York an offence punishable by a fine of \$250, and making the enforcement of this provision the duty of the Collector of the Port and the revenue officers. The subject was referred to the committee of the Chamber charged with the consideration of questions of this nature.

THE CUBAN DEFFICULTY.

On motion of Mr. Charles Wairous a special committee of five was appointed by the President to consider what effect the longer continuance of the, struggles in Cuba will have on the commerce of this country and to report whether in their judgment the Chamber should take any steps to memorialize Congress on this subject. The following gentlemen comprise the committee:—Charles Watrous, Jose V. Onativia, Lloyd Aspinwall, H. H. Swift and F. B. Thurber.

The President, on motion of the American Board of Transportation and Commerce, to be held at Chicago on the 15th inst. The following gentlemen were appointed such delegates:—John F. Henry, E. R. Durkee, F. B. Thurber, Charles Watrous and James S. Barron.

On behalf of the Building Committee Mr. Dodge reported that a communication had been received from the Secretary of the Treasury stating that as the government had no further use for the old Post office site he would recommend its sale.

A communication on the subject of navigating the the purpose of more fully ascertaining the facts, Mr. Solon Bumphreys, chairman of the committee, had ad-

THE LATE VICE PRESIDENT.

Mr. Elliot C. Cowdin offered the following resolution on the death of the late Vice President Wilson, prefacing them by a few brief sulogistic remarks:—

on the death of the late Vice President Wilson, prefacing them by a few brief eulogistic remarks:—

Resolved, That the members of the Chamber of Commerce of the Sixte of New York received the announcement of the death of Heary Wilson, Vice President of the United States, with feelings of profound sansibility. This Chamber regards him sa one of the most remarkable men which this country has produced, and whose decease has created a chasm in the public service, and in the ranks of our statesmen of such a peculiar kind that in all probability is will be a long time before it a filled. Born in the deepest obscurity, cradled in the bitterest poverty, trained to the hardest and rudest told, and deprived of even the common elements of education until he had arrived at manhood, he, by the inherent force of an energetic will, a sound heart and a high meral courage, rose step by step from the shoemaker's bench in a rural village to a seat in both branches in the Leginisture of Massachusetts, and then to the chair in the Senate of the United States, which had been filled by Webster, Everett and Choate, and finally to the second place under the constitution in the American Republic. Mr. Wilson so discharged the duties of these several trusts as to win and preserve the confidence of his constituency, whether it consisted of the linkabitants of a small township or the citizens of a great commonwessith or the peeple of the whole nation. Always the friend of humanity, and aspecially of the toiling millions, irrespective of clime or color, and the warm advocate of the equal rights of all classes of his follow citizens, he was throughout his long career a leader in the cause of emancipation. During the war for the preservation of the wild hadden he was the Chairman of the Committee on Milliary Affairs in the Senate and bore a prominent stare in the preparation and consummation of those measures which raised, equipped and marshalled those gigantic armies which the government placed in the field Mr. Wilson was the champion of our commerce, and particularly of every enterprise adapted to elevate the condition of the depressed masses of the people. He was the advocate of solviety, of virtue, of religion. A mass of maverious industry of quenchiese usergy, of generus impulses, of stern devotion to what he deemed the right had the true, his life stands before the nation, both in his ams and his achievements, as an encouragement to poor young man to be of good choer, to aim high and not debuilt of riving from the most lowly utations in sockey to positions the most lowly attaines in sockey to positions the most lowly attaines. The bestgribute that can be paid to the decessed Vice Fresident is to reved our conviction, that though he held various election of the contryment grew stronger and stronger down to the day of his decesse, and that he dies without as usemy set regretted by every liberal and manty heart.

The Fesciution was seconded by Mr. Dodge and unanimously adopted, after which the Chamber adjourned.

CHARITY FAIRS.

ST. TERESA'S CHURCH AND THE ASSOCIATION

FOR BEFEINDING CHILDREN AND YOUNG GIRLS. The ladies' fair it aid of the Association for Befriend ing Children and Young Girls is still in progress at No. 48 Union square, under the management of Rev. Father Preston and the lady managers of the home. The relics from the Italian Convent still continue to be objects of great interest a those who are familiar with the troubles of the Holy See. The fair will remain open until the 7th inst., froe eleven o'clock A. M. to ten o'clock P. M. The object f the charity itself should

ten o'clock P. M. The object f the charity itself should appeal forcibly to every huma heart now that the advent of winter will enhance tafold the troubles and misery of the destitute.

The ladies' fair now in progressin the basement half of St. Teresa's church, corner of Henry and Rutgers street, has thus far proved successed. The ladies of the parish have made unusual excitons to make the fair attractive. There is a large seartment of useful and ornamental articles displayed in the various tables, but the table named "Urbline" attracts especial attention, by reason of the lany beautiful specimens of needlework made by the shird hands of the Church. A photograph of the pasito othe church. A photograph of the pasito othe church in pastille, executed by one of the nuns, ha perfect likeness and a very fine specimen of that kitd of work.

RELIEF FOR INDIGENT FEMALES

The sixty-second annual meeting of the Ass. for the Relief of Indigent Aged Females was hed yesterday afternoon at the asylum, No. 226 East Twentieth street. The annual report was read to the in mates, and showed the institution to be in a goodcondition, several improvements having been made duing the past year. The report of the Treasurer, Mr. E.S

the past year. The report of the Treasurer, Mr. E.S. Innes, stated that the total expenditures of the year had been \$40,416 49, there still being a balance in bark to the credit of the institution of \$24,826 62.

The following Board of Managoment for the ensuing year was appointed:—Mrs. A. Gillett, First Directress; Mrs. W. M. Vermilye, Socond Directress; Edward S. Innes, Treasurer; Mrs. S. M. Beckley, Register.

The following are the members of the Board of Managers:—Mrs. John Lowery, Mrs. Warren Carter, Mrs. Samuel A. Church, Mrs. E. D. Morgan, Miss C. B. Hicks, Mrs. James Suydam, Mrs. H. M. McCorkle, Mrs. E. S. Innes, Mrs. C. Minton, Miss Bessie G. Rogers, Miss Annie Innes and Mrs. F. L. Henop.

The old ladies were then addressed by the Rev. Dr. Tyng, who spoke at some length on the career of the institution.

PECULIAR SUICIDE IN HOBOKEN.

Henry D. Schreiber, aged fifty, employed in a cloth store as salesman in this city, hung himself on Wednesday night at his residence, at No. 172 Park avenue, He boken. He chose the opportunity, while his wife was out for a walk with his landlady, to put an end to his out for a walk with his landlady, to put an end to his life. He procured a short clothes line, one end of which he tied to the outer handle of the door of his spartment and threw the rest inside the room, closing the door. He then made a recess with the other end of the rope, placed his head inside it, and, by gathering up his limbs, hung himself. When his wife returned also found his bedy as above described, but not yet celd. She screamed for help, and assistance scon caine, but life was extinct.

The Coroner has notified the County Physician, and an inquest will be held. The deceased, his wife states, was subject to fits of melancholy, and it was doubties while in one of these moods that he took his life. It was only yesterday that the nolice were scaffed of the securrence.